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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,499	07/22/2003	Tatsuaki Funamoto	108642.01	6354
25944	7590	02/25/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			PAYNE, SHARON E	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/623,499	Applicant(s) FUNAMOTO ET AL.	
	Examiner Sharon E. Payne	Art Unit 2875	AW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/791,638
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>23 July 2003</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindblad (U.S. Patent 5,404,277) in view of Shirasaki et al. (U.S. Patent 6,025,894).

Regarding claim 6, Lindblad discloses a light guide element (reference number 10) disposed adjacent to an edge of the light source (Fig. 2), being thicker than the light source (Fig. 2) and having a reflector member (reference number 22) for guiding light that is emitted from the organic electroluminescent device through the first principal plane of the light source toward an inside of the light guide element (Fig. 2) and the

reflector member overhangs a part of the light source (Fig. 2). Lindblad does not disclose the organic electroluminescent element or the substrate.

Shirasaki et al. discloses an organic electroluminescent device (abstract) and a substrate (reference number 112) on which the organic electroluminescent device (reference number 114) is formed (Fig. 32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the light source and substrate of Shirasaki in place of the light source of Lindblad to provide light with the travel path altered by the substrate.

Concerning claim 8, Lindblad does not disclose a display unit disposed over the substrate. Shirasaki et al. discloses a display unit disposed above the substrate and illuminated by light emitted from the first principal plane (Fig. 32, abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the display unit of Shirasaki over the apparatus of Lindblad as shown by reference number 25 of Lindblad to communicate with a user.

4. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindblad in view of Shirasaki et al. as applied to claim 6 above, and further in view of Parker et al. (U.S. Patent 5,975,711).

Regarding claim 7, Lindblad does not disclose a pixel region. Parker discloses a pixel region (reference number 5) to display and an illuminator region (reference number 6) to illuminate the light guide element (Fig. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the pixel region of Parker in the apparatus of Lindblad to communicate with a user.

Regarding claim 9, Lindblad does not disclose a key input unit. Parker et al. discloses a key input unit (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the key input unit of Parker et al. in the apparatus of Lindblad to allow a user to transmit commands to the apparatus.


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Payne whose telephone number is (571) 272-2379. The examiner can normally be reached on regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sep


Stephen Husar
Primary Examiner